

Minutes of a Town Council meeting held on July 10th, A.D. 2014 at 6:33 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III, Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen.

Interviews were held with two residents who wished to serve on the LC Agricultural Conservancy Trust.

Richard S. Humphrey, Town Solicitor arrived at 6:59 PM.

Being 7:00 PM the Town Council President called this meeting to order with a Salute to the Flag.

Councilor Mushen asked his fellow Councilors to place a communication on by Unanimous Consent for informational purposes.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To add to this evening's agenda a communication received from the Little Compton Community Center concerning upcoming events at the center. This matter will be for informational purposes and will not have actions taken other than to refer to an individual for attention.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To approve, as written the Town Council meeting minutes for June 19, 2014.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas abstained from voting: To approve, as written the Town Council meeting minutes for June 30, 2014.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To place on file the Building Official's Department Head Report for June 2014.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To place on file the Maintenance Department Head Report for June 2014.

The Town Council discussed the Charter Review Commissions recommended amendments. During discussion two residents, Joseph Quinn and Roy Bonner, commented on their desire to review the questions before the Council approved them to be certified on the November ballot. Mr. Quinn and Mr. Bonner spoke on behalf of the

Little Compton Taxpayers Association. Scott Morrison, Chairman of the Charter Review Commission noted that all of the commissions meetings were held in public and the group had ample time to review the proposals.

Roy Bonner against the change to a Town Administrator without a job description.

Councilor Mushen commented that this proposal was to determine the desires of the residents

Joseph Quinn opposed to the change to a single Tax Assessor feels it is not necessary

Councilor Golembeske noted that it was time to reduce the Assessors to a single Assessor; it was not an action against the incumbents, but a need due to changing times. Presently the three member board has a vacancy with no interested party running to fill that elected seat on the November ballot.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, with discussion: Due to the recommendation of the Charter Review Commission we hereby vote to refer the entire list of proposed Home Rule Charter amendments to the Board of Canvassers for certification for inclusion on the November 2014 Ballot as follows:

One

Section 305. Conduct of Meetings.

The Town Moderator shall have all of the authority conferred upon moderators by State law in conducting and managing the business of Town meetings. The quorum for any Town meeting shall be five percent (5%) of the electors of the Town of Little Compton. The Moderator shall grant permission for the admission of persons who are not electors of the Town, provided however, that all such persons may be seated in an assigned area apart from the seating for electors, and shall have no right to vote, and no right to speak except with the specific permission of the Moderator.

Two

Section 306. Proposals for Expenditure Outside of Budget.

No proposal for the expenditure of money, other than those contained in the budget as compiled from the Town officer's and departmental requests shall be acted upon by the Town Meeting unless it shall have been presented to the Town Clerk in a petition signed by no less than fifty (50) electors of the Town no later than the sixth day of March, except to include no fewer than five (5) business days from the March 1st deadline established in Section 503 of this Charter. All such petitions and proposals for expenditure shall indicate the agency or organization for which the appropriation is requested and the specific purposes, in the form of a line item breakdown where appropriate, for which the request for appropriation is being made. The petitions and proposals shall be reviewed by the Budget Committee and recommendations thereon shall be included in the Budget Committee report, and shall appear in the posted list of

warrant items, and identified as a citizen stroke.

Three

Section 404. President and Vice President.

The Council shall elect from among its members a President and a Vice President, each of whom shall serve at the pleasure of the Council. The President shall preside at all meetings of the Council and shall be recognized as the head of the Town government. The Vice President shall act as President during the absence of the President.

Four

Section 502. Budget Committee.

A. There shall be a Budget Committee of five (5) members, elected at the Financial Town Meeting for two (2) year terms. However, their terms shall be staggered, such that two (2) members shall be elected in each even numbered year and, three (3) members shall be elected in each odd numbered year. Members of the Town Council and members of the School Committee shall be ineligible to serve as members of the Budget Committee. When elected and qualified the members of the Committee shall elect one of their number as chairman and another as clerk.

B. The Budget Committee shall have primary responsibility for the evaluation of all requests for appropriation by the Financial Town Meeting or by any special Town Meeting, and for presenting a proposed budget to the Annual Financial Town Meeting. The

Committee shall have the authority to recommend the increase, decrease or elimination of any request for appropriation or line item therein, including those requests contained in citizen petitions pursuant to Section 306 above, provided however, that all requests shall be placed in the Budget Committee Report with indication of the Committee's recommendation. Regarding the request for appropriation from the School Committee, the Budget Committee shall have the authority to recommend increase or decrease of the total request only. The Budget Committee shall also have the authority to:

1. Demand, subject to State and federal laws concerning privacy and access to public records, any and all books, records, and correspondence relative to the expenditure of town monies in the custody of any department of the town which in its opinion are necessary to properly prepare a budget for the expenditure of town funds;

2. Recommend changes in compensation for any elected officials of the Town to that official by February 1st. The Budget Committee shall seek a recommendation of the Town Council on compensation for the Town Clerk and Town Treasurer/Tax Collector;

3. Prepare a capital expenditure program for the Town, pursuant to the provisions of Section 505 of the Charter.

Five

Section 504. Public Hearings on Budget.

The Budget Committee, with the Council in attendance, shall hold a

public hearing on its preliminary recommended budget prior to final adoption for presentation to the Financial Town Meeting, which hearing shall take place no more than twenty (20) nor less than fourteen (14) days prior to the date for said meeting. At least ten (10) days prior to the date for the Financial Town Meeting the Council shall cause to be published in a newspaper of general circulation in the Town a summary of the proposed budget as adopted for presentation to the Financial Town Meeting, as prescribed in the State Property Tax and Fiscal Disclosure Law. The Council shall insure that all other provisions of said Law, and the provisions of State law pertaining to the maximum tax which towns may levy, as the said laws may be amended from time to time, are complied with. Copies of the Budget Committee report as it is to be presented to the Financial Town Meeting shall be mailed to the electors of the Town and posted on the website of the Town no later than ten (10) days prior to the date of said meeting.

Six

Section 601. Town Administrator

The Council may appoint a Town Administrator to serve during the Council's pleasure, to assist it in the discharge of its executive and administrative responsibilities. Such appointment shall be made from among persons with appropriate academic training in management and administration and/or at least five (5) years management experience preferably in part in local or State government. Expert knowledge and/or experience in one or more of the following

required: personnel administration, labor negotiation, budgeting, financial administration, accounting, land use planning, public works or municipal law.

A. The Council shall by ordinance define the responsibilities of the office of Town Administrator, his or her relationship to the officials, departments, boards and commissions which compose the Town government, whether the Town Administrator shall devote part time or full time to the duties of the office, and other terms of employment.

B. Compensation and benefits for the Town Administrator shall be as set by the Financial Town Meeting.

Seven

Section 602. Town Clerk.

There shall be a Town Clerk who shall be elected at the general election each even numbered year to serve for a two (2) year term or until his or her successor is elected and qualified. The Town Clerk shall have all the duties and responsibilities of Town Clerks as provided by State law, shall be Clerk of the Council, of the Board of Canvassers, and of the Probate Court, and shall perform such other duties and responsibilities not in conflict with State law. The Town Clerk shall employ a Deputy Town Clerk with the approval of the Council, and such Deputy Town Clerk shall in the absence or inability of the Town Clerk, discharge all of the duties and responsibilities of that office. The Town Clerk shall be responsible for the good conduct of the Deputy, and may revoke the appointment at the Clerk's discretion. In the event that the Town Clerk and the Deputy Town

Clerk are both unable to complete the term of office, the Council shall appoint an interim Clerk to fill the balance of the term of office.

Section 603. Town Treasurer/Tax Collector.

There shall be a Town Treasurer who shall also hold and exercise the office of Town Tax Collector, who shall be elected at the general election each even numbered year to serve for a two (2) year term or until his or her successor is elected and qualified. The Town Treasurer shall have all of the duties and responsibilities conferred upon Town Treasurers by State law, and all of the duties and responsibilities conferred upon Town Tax Collectors by State law, and shall give bond for each or both offices before assuming his or her duties, as provided in State law. The Town Treasurer shall appoint a Deputy Town Treasurer with the approval of the Council, and any such Deputy Treasurer shall, in the absence or inability of the Town Treasurer, have all the powers and responsibilities of the Town Treasurer and of the Tax Collector, provided however, that in no case shall the Deputy have the power to sign the bonds, notes, or other evidences of indebtedness of the Town except with the approval of the Council. The Deputy Treasurer shall also be bonded by the Town. The Town Treasurer shall be responsible for any misconduct, neglect, or default of the Deputy, and may revoke the appointment at his or her discretion. In the event that the Treasurer/Tax Collector and the Deputy Treasurer are both unable to complete the term of office, the Council shall appoint an Interim Treasurer to fill the balance of the term of office.

Eight

Section 605. Tax Assessors.

The Town Council may in its discretion, by ordinance, make provision for the replacement of the Board of Tax Assessors with a single Tax Assessor employed by the Town Council from among persons having had prior professional training and/or experience in assessment, property appraisal and related matters. To accomplish the transition from the Board of Tax Assessors to a single Tax Assessor, the Council shall have the authority to provide, in said ordinance, that there shall be no election to the office of Tax Assessor at the general election next following the enactment of said ordinance, and that the terms of those members of the Board of Tax Assessors holding office as of the first Monday in December following said general election shall terminate on that date, or upon the effective date of the employment of the Tax Assessor chosen to replace the Board, whichever date is later.

Nine

Section 703. Conservation Commission.

There shall be a Conservation Commission for the Town of five (5) members, four (4) appointed by the Town Council for three year terms, with said terms so arranged that the term of one member shall expire in one year, the term of the second in the second year, and the terms of the third and fourth members in the third year. Duly incorporated and existing wildlife, conservation, sportsmen's,

horticultural, or like organizations may present to the appointing authority a list of qualified citizens from which lists the appointing authority may select the four Commission members. Terms of members shall end on the last day of January. The Commission shall also include ex officio the chairperson of the Little Compton Agricultural Conservancy Trust or his or her member designee.

A. The purpose of the Commission shall be to promote and develop the natural resources, to protect the watershed resources, and to preserve the natural esthetic areas within the Town. To these ends the Commission shall conduct researches into its local land areas and seek to coordinate the activities of unofficial bodies organized for similar purposes, and shall keep an index of all open spaces within the Town, publicly or privately owned. It may recommend to the Council and other Town bodies a program for the better use of the Town's land and natural resources.

B. The Commission shall provide at least annually a report on the conservation and open space priorities of the Town and recommend such changes as it feels appropriate in writing to the Council.

Eliminate Section 709. Auditorium-Gymnasium Committee

Section 709. Recreation Committee.

There shall be a Recreation Committee of seven (7) members four (4) of whom shall be appointed by the Town Council for staggered three (3) year terms, with the terms so arranged that one expires each year. The Committee shall also include ex officio the chairperson of each of

the following Town bodies or his or her member designee: Planning Board, Beach Commission, and School Committee. It shall be the responsibility of the Committee to update, maintain and implement the Town's plan for the interrelated development of recreation areas. The Commission shall also have responsibility for the scheduling and the conduct of appropriate activities in the Auditorium-Gymnasium of the School during the periods of time when the facility is not being used for school purposes.

Ten

Section 707. Harbor Commission.

There shall be a Harbor Commission consisting of seven (7) members appointed by the Town Council for three (3) year staggered terms with their terms so arranged that the terms of two members will expire in one year, the terms of two more members in the next year, and the terms of three members in the third year. The appointees shall be selected by the Council so that one is the owner of a recreational boat kept on a mooring, or one who is on a waiting list for a mooring; one joint representative of the Sakonnet Point Marina Association, Inc. and the Sakonnet Point Club; one represents the Sakonnet Yacht Club; one is a commercial trip fisherman; one is a commercial day fisherman; one officer of the local fishermen's association; and one is a member of a Town conservation organization. Vacancies shall be filled in accordance with the initial appointment to the vacant position for the unexpired term. It shall be the responsibility of the Commission to make recommendations to

the Council concerning the appointment of the Harbor Master and Assistant Harbor Master(s), the rules and regulations regarding the assignment and use of moorings, the use of Town docks and facilities, other rules and regulations governing the use of the harbor including but not limited to the setting of fees and penalties, the preparation and revision of the harbor plan, and such other functions as may be assigned to it by the Council.

Eleven

Section 804. Organization and Rules.

The School Committee shall determine its own organization, rules of procedure and the time of its meetings.

Twelve

Section 806. Buildings and Grounds, Purchasing.

In consultation with and subject to the agreement of the Town Council, the School Committee may contract with the Town Department of Public Works for that Department to assume responsibility for the maintenance of all school property; and the Committee may in the same manner arrange to have the Town Purchasing Agent assume responsibility for purchases of supplies and equipment for the School Department.

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To re-appoint David Wechsler as

a trustee to the LC Agricultural Conservancy Trust for a term which will expire July 1, 2019.

Councilor Golembeske publicly thanked Mr. McGeoch for his interest on the LC Agri. Conservancy Trust and encouraged him to consider a position on the Conservation Commission.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To approve the recommendation of the Board of Tax Assessors to grant tax exempt status to the Friends of Sakonnet Lighthouse.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To schedule an Informational Hearing for the next Town Council meeting of July 24, 2014 to receive public input on the Recreational Area Athletic Field and Tennis Court Improvements Project and to invite the Recreation, Conservation and Open Space Committee to attend.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To approve a request from the Art Café to host an outdoor fund raising event called “Singing Out Against Hunger” on July 26, 2014 from 11 am to 5 pm to benefit the

Little Compton and Tiverton Food Bank.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To authorize the Town Council President to sign an Amendment to Lease Agreement relating to the lease between the Town of Little Compton and the Little Compton volunteer Fire Department for the 2002 fire/rescue Contender Boat.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To approve legal representation for the Building Official by Gerard Galvin, Esq., of Corcoran, Peckham and Hayes, Newport, RI for an appeal before the Zoning Board of Review.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To place on file without further actions materials concerning the donation of a Liberty Elm Tree in Memory of Albert Libutti as the tree will likely be planted on private property.

At 7:50 PM the Town Council sitting as the Board of License Commissioners gave the following referral:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To refer to the Council President for his attention a letter of request for Class F one day beverage license received from the LC Community Center with the anticipation that the matter will be placed on the meeting of July 24, 2014 for further actions.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To grant permission to the Narragansett Bay Wheelmen permission to use Adamsville Ball Field on Sunday, September 7, 2014 for the purpose of a rest and refreshment stop during the 43rd Annual The Flattest Century in the East bicycle event, contingent upon completing the Town's Indemnification Form and notifying the Police Department of the event.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To grant a Peddler's License to Dana Neville d/b/a Cotton Candy Man to sell snacks out of his mobile truck.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen: To grant permission to the United Congregational Church to use the Town Landing on August 3, 2014 at 10:00 am for a Beach Service.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To place on file a Notice of proposed rule-making and Public Hearing on August 26, 2014 regarding proposed amendments to the Coastal Resources Management Program Management Procedures.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: To place on file the consent calendar as follows:

1. Billing summary for Richard S. Humphrey, Town Solicitor for FY2014

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen: That the bills be allowed and ordered paid as follows: \$20,566.51

McGeoughs Turf Management Inc. - Civic Rec. \$315.00

Laser Technology Inc. - Police Dept. grant \$4,068.00

Verizon Wireless - Drug Forfeiture \$293.94

State of Rhode Island - Drug Forfeiture \$60.00

Sakonnet River Outfitters - Drug Forfeiture \$96.30

RI Police Accreditation Comm. - Drug Forfeiture \$2,000.00

Thomas Wood - Drug Forfeiture \$400.00 \$2,850.24

Belmont Springs - Police Dept. \$53.24

Somerset Chrysler Jeep - Police Dept. \$228.30

Rob's Auto Care, Inc. - Police Dept. \$75.00

Core Business Technologies - Police Dept. \$396.00

Rob's Auto Care, Inc. - Police Dept. \$42.00

WB Mason - Police Dept. \$157.78

KTR Maintenance & Supply Inc. - Police Dept. \$205.97 \$1,158.29

Verizon Wireless - Transfer Station \$30.25

Verizon Wireless - Building Official \$59.03

Verizon Wireless - Maintenance \$30.25

Verizon Wireless - Maintenance \$33.10

Goldsteins Lawn & Farm Equip. - Maintenance \$49.99

Wilbur's General Store - Town Hall \$12.73

Wilbur's General Store - Transfer Station \$7.90

Wilbur's General Store - Maintenance \$7.68

Tom's Lawn & Garden - Maintenance \$25.00

Helgers South Coast Power Equipment - Maintenance \$65.04

Direct Energy - Street Lights \$17.68

Direct Energy - Street Lights Town Dock \$18.75

Paychex of New York LLC - Treasurer \$522.66

Postmaster - Treasurer \$196.00

USPS - Treasurer \$1,950.00

ICM Corp. - Capital Expense Bond Acct. \$990.00

KTR Maintenance & Supply Inc. - Public Safety Complex \$1,040.00

KTR Maintenance & Supply Inc. - Town Hall \$45.32

Cox Communications - Town Hall Dept. \$249.59

Cox Communications - Computer \$252.00

Petro - Diesel \$985.68

Cox Communications - Fire Dept. \$178.77

Verizon Wireless - Fire Dept. \$124.99

Bristol County Fire Chiefs Assoc. - Fire Dept. \$400.00

KTR Maintenance & Supply LLC - Fire Dept. \$45.32

Belmont Springs - Fire Dept. \$8.44

Wilbur's General Store - Fire Dept. \$27.32

Core Business Technologies - Fire Dept. \$396.00

Specialty Vehicles Inc. - Fire Dept. \$477.31

Michael Silva - Fire Dept. \$180.40

New England Fire Equip. - Fire Dept. \$284.50

Vic's Car Washes - Fire Dept. \$28.50

Firematic Supply Co. Inc. - Fire Dept. \$2,038.00

Gilbert Amarantes - Fire Dept. \$103.48 \$4,293.03

Allied - Board of Canvassers \$86.77

Nationalgrid - Public Safety Complex \$1,091.72

Walco - Town Dock \$114.81

Motion made by Councilor Bodington, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen: To adjourn at 7:55 PM.

Carol A Wordell, Town Clerk